

Supreme Court of Kentucky


ORDER

**IN RE: ORDER APPROVING THE RULES OF COURT PRACTICE AND
PROCEDURE FOR THE 48TH JUDICIAL CIRCUIT, FAMILY
COURT DIVISION, FRANKLIN COUNTY**

Upon recommendation of the Judges of the 48th Judicial Circuit, and
being otherwise sufficiently advised,

The Rules of Court Practice and Procedure for the 48th Judicial Circuit,
Family Court Division, Franklin County, are hereby approved. This order shall
be effective as of the date of this Order, and shall remain in effect until further
orders of this court.

Entered this the 30th day of March 2012.


CHIEF JUSTICE JOHN D. MINTON, JR.

**FRANKLIN COUNTY FAMILY COURT RULES
FRANKLIN CIRCUIT COURT, DIVISION III, 48TH CIRCUIT**

RULE 1: INTRODUCTION / ADMINISTRATIVE PROCEDURE

101 Introduction

- A. These FRANKLIN COUNTY FAMILY COURT RULES, FORTY-EIGHTH JUDICIAL CIRCUIT shall be cited as "FCR." The FCR shall supplement the Kentucky Rules of Civil Procedure and the Kentucky Family Court Rules of Procedure and Practice (the "FCRPP").
- B. The FCR shall also supplement the Rules of Court Practice and Procedure for the 48th Judicial Circuit and all subsequent Administrative Orders. The FCR shall supercede the Rules of the District and Circuit Courts in all instances where such rules are inconsistent herewith.

102 Effective Date

These rules shall be effective upon approval of the Kentucky Supreme Court.

103 Citation

- A. Cases filed in the Family Court shall be styled as follows:

COMMONWEALTH OF KENTUCKY
FRANKLIN CIRCUIT COURT
DIVISION III
FAMILY COURT
CASE NO: _____

104 Jurisdiction and Assignment of Cases

- A. The Family Court shall be a court of Circuit jurisdiction, and shall be referred to as Franklin Circuit Court, Division III, Family Court.
- B. The jurisdiction of the Family Court of Franklin County shall include, but not be limited to, cases involving:
 - 1. Dissolution of Marriage;
 - 2. Child custody; timesharing; visitation
 - 3. Support, maintenance, and property distribution;
 - 4. Adoptions; termination of parental rights;
 - 5. Domestic violence;
 - 6. Paternity;
 - 7. Dependency, neglect, or abuse; and

8. Juvenile status offenses, including truancy, runaways, and children beyond the control of their parents.

C. Civil violations of Emergency Protective Orders or Domestic Violence Orders shall be heard by the Family Court Judge in accordance with the Domestic Violence Protocol (**Appendix No. 1**) and the provisions of FCRPP 10-13. All other civil contempt motions in any family court jurisdiction shall be brought before the court in accordance with the Rules of Practice for the 48th Circuit, Franklin County and the applicable provisions of the FCRPP.

D. Criminal violations of Emergency Protective Orders or Domestic Violence Orders shall be heard by the District Court.

105 Holidays

The Family Court shall adhere to the list of Court Holidays set out by the Administrative Office of the Courts.

106 Consolidation of Related Cases

Pursuant to CR 42.01, when two or more different actions are pending in Family Court involving the same parties and common questions of law or fact, those cases may be consolidated at the Family Court Judge's discretion. Even when such cases are consolidated, the files shall be maintained separately.

107 Appeal from Family Court Matters

All appeals of Family Court matters shall proceed by the Rules of Civil Procedure to the Court of Appeals.

RULE 2: FAMILY COURT SCHEDULING/MOTION HOUR/PROCEDURES FOR FILING

201 The Family Court schedule is set out in (**Appendix No. 2**), and is subject to change by the Family Court Judge or the Clerk of the Circuit Court.

202 Motion Filing, Service, and Deadlines

A. The court adopts by reference the Rules for motions as set out in the FCRPP, where applicable.

B. The court adopts by reference the Rules of Practice and Procedure for the 48th Circuit, Franklin County, including the filing deadline provisions of Local Rule 901, to the extent that they are not inconsistent with the FCRPP or other protocols adopted by this court, with the following modification:

1. Immediate review of Domestic Violence Petitions by the Family Court may be requested in accordance with the Domestic Violence Protocol for the 48th Judicial Circuit and District (**Appendix No. 1**) and FCRPP 13.

RULE 3: ADOPTIONS/TERMINATION OF PARENTAL RIGHTS

There are currently no local rules relating to Adoptions and Termination of Parental Rights. See FCRPP 32 – 36 for uniform statewide rules of procedure.

RULE 4: DOMESTIC VIOLENCE PROTOCOL AND 24 HOUR ACCESS POLICY

- 401 The Franklin District, Circuit, and Family Courts recognize domestic violence as serious criminal conduct and will respond accordingly. Access to the protection afforded victims by the Domestic Violence and Abuse Act, KRS 403.715-403.785, shall be available 24 hours a day. Emergency Protective Orders may be obtained three hundred and sixty-five (365) days per year, seven (7) days per week, and twenty-four (24) hours per day. Domestic Violence cases shall be given high priority with respect to scheduling and disposition.
- 402 The court incorporates herein by reference the policies and procedures set out in the local Domestic Violence Protocol for the 48th Judicial Circuit and District (**Appendix No. 1**), and the provisions of FCRPP 10-13.
- 403 Extensions of time and continuances shall be granted only for good cause with supporting reasons stated on the record subject to provisions of applicable law.
- 404 Child custody and dissolution proceedings filed in any court of the Commonwealth shall not suspend, alter, or vacate any domestic violence proceedings filed in Franklin County. All Emergency Protective Orders and Domestic Violence Orders issued by any court shall remain in effect unless specifically altered or vacated by subsequent orders of the appropriate court or until they expire by their own terms.
- 405 At the time a domestic violence case is opened, the Circuit Clerk shall check the index of circuit court cases to ascertain if a dissolution or child custody proceeding is pending. If it is determined a dissolution or child custody proceeding is pending and an EPO issued, the Circuit Clerk shall cross-reference the “D” case with the dissolution or child custody case. Additionally, if a Domestic Violence Order (DVO) is issued, upon entry, the Circuit Clerk shall place a copy of the EPO/DVO in the dissolution or child custody case file.

RULE 5: PATERNITY

There are currently no local rules relating to Paternity. See FCRPP 14 and 15 for uniform statewide rules of procedure.

RULE 6: DEPENDENCY NEGLECT AND ABUSE

There are currently no local rules relating to Dependency Neglect and Abuse cases. See FCRPP 16 - 31 for uniform statewide rules of procedure.

RULE 7: DOMESTIC RELATIONS PRACTICE

701 DISSOLUTION OF MARRIAGE

701.1 Mandatory Disclosure

- A. The parties shall comply with the disclosure requirements of FCRPP 2(1), (3), and (4) unless waived by the court. If required, the entire AOC Form 238 must be completed. If the answer to the question is "None," "Not Applicable," or "Unknown," the appropriate statement shall be inserted in the applicable space.
- C. Either party may, in lieu of filing a separate disclosure, complete the Mandatory Case Disclosure Acknowledgment / Stipulation contained in (**Appendix 3**). A signed Acknowledgment / Stipulation shall be sufficient for all dissolution disclosures provided the other party has completed AOC Form 238 or disclosures are waived by the court.

701.2 Parental Education Requirement

- A. Pursuant to FCRPP 3(5), the court may order parents or custodians to participate in counseling or divorce education, which shall be at the expense of the parties.
- B. Sanctions

If a party ordered to attend divorce education or counseling refuses or fails to attend, the court may make such orders in regard to the refusal or failure as are just, including the following:

1. An order refusing to assign a trial date until the party requesting such trial date attends the required program;
2. An order restricting the visitation rights of any party until that party attends the program;
3. An order treating as a contempt of court the failure to obey an order to attend the program.

C. Requirements for Decree

Parties shall comply with all applicable provisions of FCRPP 3. However, the court may waive the preliminary and final verified disclosure requirements of FCRPP 3.

702 CHILD SUPPORT

702.1 Child support shall be determined pursuant to the support guidelines established in KRS 403.212. Motions for temporary child support may be set for a hearing pursuant to the requirements of FCRPP 9(4), or filed for determination by the court without a hearing pursuant to KRS 403.160.

702.2 Child Support Orders

- A. All child support orders shall comply with FCRPP 9(2), and payment may be made through the Franklin County Friend of the Court or the Centralized Collection Unit.
- B. Motions to modify an existing child support order must be set for a hearing and comply with the requirements of FCRPP 9(5). Both parties must comply with the information filing requirements of FCRPP 9(6) and Family Court Rule 901.3.

702.3 Wage Withholding

- A. The prevailing party shall comply with FCRPP 9(3) with regard to service of the wage withholding order on the employer and the employee.
- B. It shall be the responsibility of the prevailing party to draft, file and mail the Wage Withholding. The Friend of the Court's or the Centralized Collection Unit's Wage Assignment Order Form (available through the Friend of the Court) shall be used for such wage withholding.

703 CHILD CUSTODY

703.1 Temporary Child Custody

- A. The parties are encouraged to agree to a custody arrangement that will cause the least amount of disruption to the child(ren) pending a final hearing.
- B. Motions for temporary child custody shall be set pursuant to the Rules of Practice and Procedure for the 48th Circuit, Franklin County.

703.2 Disputed Child Custody and/or Parenting Arrangements

- A. The parties are encouraged to reach an agreement regarding custody and parenting arrangements which is in the best interest of the child(ren).
- B. The court may order, or the parties may move for, any of the actions enumerated in FCRPP 6(1), and the court may order such other steps as are appropriate. Hearings on motion by the parties shall be held in accordance with the requirements of FCRPP 6(2).
- C. Parties to a custody hearing shall comply with the witness and exhibit listing requirements of FCRPP 7(1).

704 MEDIATION

- 704.1 Mediation shall not occur in dissolution, custody, or child support cases in which domestic violence is also involved, unless the court finds that such mediation is appropriate in accordance with KRS 403.036.
- 704.2 All mediation procedures beyond what is set forth in the rules herein shall proceed pursuant to the Rules concerning mediation contained in the Rules of Practice and Procedure for the 48th Judicial Circuit, Franklin County, except that the parties may agree on a mediator who is not on the court-approved list so long as the chosen mediator has the equivalent experience as those mediators found on the court-approved list.

RULE 8: STATUS OFFENSES

801 Status Offenses

- A. In accordance with the provisions of FCRPP 37-44, the court shall have exclusive jurisdiction over juvenile status offenses including truancy, runaways, and children beyond control, unless the status offense(s) are accompanied by public offense(s).
- B. In all status offense cases, the court may order a conference with the offender's parent(s) or legal guardian, to take place prior to formal proceedings. This conference may be used to discuss the offender's personal history, current familial situation, and any other information the court determines to be appropriate in light of the particular case.
- C. In compliance with FCRPP 40(2), a petition alleging truancy shall, when filed, be accompanied by a AOC-JV-41, Affidavit and Truancy Evaluation Form which shall be for the aid of the court in determining the appropriate course of action upon disposition of the particular case.

802

Public Offenses

- A. Franklin District Court shall have exclusive jurisdiction in proceedings concerning any child living or found within Franklin County who has not reached their eighteenth (18) birthday and who commits a public offense, as defined in KRS 600.020(40). Franklin Family Court shall not have jurisdiction over such matters.

803

Beyond Control Petitions

- A. If a parent or guardian of a juvenile wishes to file a Beyond Control Petition, they must first contact a Franklin County Court Designated Worker and submit an AOC-JV-38, Affidavit and Beyond Control of Parent Evaluation Form along with their petition to the court. If a school official wishes to file a Beyond Control Petition, they must first contact a Franklin County Court Designated Worker and submit an AOC-JV-38.1, Affidavit and Beyond Control of School Evaluation Form along with their petition to the court.

RULE 9: MISCELLANEOUS

901

TRIALS, HEARINGS, MOTIONS, DISCOVERY, and SUBPOENAS

901.1

Scheduling of Hearings and Motions

- A. All hearings and motions, whether contested or uncontested, shall be filed with the Franklin Circuit Court Clerk, and shall be scheduled in accordance with the court schedule previously set out in Rule 201 and in its entirety in (Appendix No. 2).
- B. No motion shall be filed, other than a motion for default judgment, until the responding party has been served with a summons and is properly before the court.

901.2

Contested Hearings/Trials

- A. A contested hearing or trial is one in which the parties have not agreed upon the division of property, debts, custody, support, or any one of the elements and the taking of evidence is necessary to permit the court to render a determination.
- B. Pre-Trials:
 - 1. Pre-trials will not be scheduled until the parties can demonstrate that the case is ready for trial, specifically, that discovery is complete, Families in Transitions classes have been completed when required and all mediation orders, if any, have been complied with.

2. To schedule a pre-trial, the parties or counsel for the parties must make a motion to the court to be heard in accordance with the court schedule as previously outlined in FCR 301. Upon hearing of said motion, the Franklin Circuit Clerk will schedule a date for pre-trial.
3. Pre-trials will not be continued, except for good cause shown in the file or on the record within five (5) business days of the scheduled pre-trial date.
4. At the pre-trial conference:
 - a. All attorneys and clients must be present;
 - b. Pretrial memorandums from both parties shall be presented;
 - c. Parties should be prepared to make stipulations as to agreed facts;
 - d. Any pre-trial motions shall be heard.
- C. Trial/Hearings shall not be continued, except for good cause shown in the file or on the record, within two (2) weeks of the trial date and shall be immediately be reset by the Court

901.3

Discovery

- A. Discovery shall be completed twenty (20) days prior to the final trial date.
- B. It shall be the duty of the party to supplement all required responses in accordance with CR 26.05 not later than thirty (30) days prior to the hearing date, or at any time prior to trial if discovered within thirty (30) days before trial.
- C. Upon application to the court, discovery time may be extended in custody issues and complex economic issues.
- D. Motions to modify child support obligations shall be governed by the provisions of FCRPP 9(5). In child support motions, pendente lite motions, motions for modification of an existing child support obligation, or in a final hearing where child support is at issue, counsel for each party shall, without formal request and as soon as practical, exchange all relevant and necessary information and documentation pertaining to his/her clients income, health care expenses covering the children, and work-related child care expenses. Appropriate income information shall include, but is not limited to:
 1. Complete Federal Income Tax Returns with schedules and the first full page of the party's State Income Tax Returns for the three previous calendar years (for the sake of confidentiality, these tax returns shall only be exchanged between parties for the purpose of discovery, and shall not be filed with the Circuit Clerk nor be made public record in any way);

2. The last three (3) paycheck receipts from the party's current or most recent employment for the purpose of determining income earning capacity; and
3. Documents pertaining to income from sources other than earnings.

It is the position of the court that a hearing is not the place for discovery; however, the interest of the child(ren) is the overriding concern. Therefore, in the event that this information is not forthcoming from a party and a subpoena is issued for compliance, then the cost of the additional attorneys' fees and court costs shall be borne by the un-cooperative party.

- E. Each party shall furnish to the court, immediately prior to any child support hearing, a completed Worksheet for Monthly Child Support Obligations conforming to the proof the party intends to introduce. Counsel shall stipulate as much income information as possible. Nothing herein shall preclude any party from presenting evidence as to the existence of an exception to the utilization of the Child Support Guidelines established by KRS 403.212.

901.4 Subpoenas for Medical, Psychiatric, or Other Privileged Records

- A. Subpoenas for medical records shall be issued pursuant to KRS 422.300 et seq.
- B. Subpoenas and accompanying orders for release of psychiatric and other privileged records shall only be issued by the court upon motion by the requesting party, accompanied by an appropriate affidavit, which shall set forth legitimate grounds for the request. Said affidavit shall specifically state a statutory and/or common-law basis for the issuance of the subpoena and order.

901.5 Domestic Violence Waiver

In any matter before this court, any party may seek an order from the court waiving the requirement to share specific information with the opposing party if release of such information would endanger the safety and welfare of the party, child, or another involved person.

901.6 Post Decree Litigation

The provisions of FCRPP 3(6) regarding reopening fees shall apply in domestic relations cases and paternity determinations (not including motions for support enforcement filed under 42 U.S.C. Title IV-D), unless the movant is proceeding in forma pauperis. The clerk shall collect the \$50.00 fee upon the filing of the motion.

- A. All pleadings must comply with the requirements of KRS Chapters 205, 403, 405, and 407 by providing the personal identifying information required in those chapters. However, where personal identifiers are required by statute or contained in other documents or exhibits filed with the court, parties shall comply with CR 7.03(1)(b) by filing one copy from which any personal data has been redacted and filing an unredacted copy in a marked and sealed envelope. The clerk of the court shall allow the unredacted sealed copy of the pleading, document, or exhibit containing personal identifiers to be accessed only by a party to the case, an attorney of record in the case, a judge of the court or other authorized court personnel, a duly authorized employee or agent of the Cabinet for Health and Family Services involved in child support matters attendant to the case, or a person authorized to view the copy by specific orders of the court. As used in this section, "personal identifier" means a Social Security number or tax-payer identification number, date of birth, or financial account number.

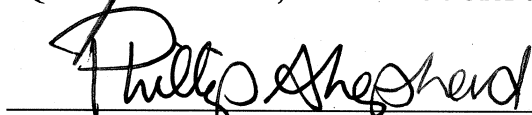
ECONOMIC LITIGATION DOCKET (Case Management)

The provisions of FCRPP 2(6) apply to all cases, except that divorce, custody, and visitation actions that have had no action in sixty (60) days or more shall automatically be scheduled for a case management conference by the Circuit Court Clerk, and parties shall receive notice of a hearing via a Case Management Order. Attorneys and parties shall attend and follow the instructions in the Case Management Order, and comply with the relevant provisions of FCRPP 2(6). Cancellations or rescheduling shall occur at least five (5) business days prior to the scheduled date in writing and filed with the Clerk of the Circuit Court.

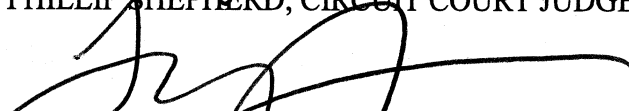
This the 23 day of March, 2012.



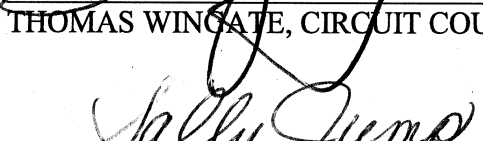
SQUIRE WILLIAMS, FAMILY COURT JUDGE



PHILLIP SHEPHERD, CIRCUIT COURT JUDGE



THOMAS WINGATE, CIRCUIT COURT JUDGE



SALLY JUMP, FRANKLIN CIRCUIT CLERK

APPENDIX 1

TWENTY-FOUR HOUR ACCESSIBILITY TO EMERGENCY PROTECTIVE ORDERS AND LOCAL JOINT JURISDICTION DOMESTIC VIOLENCE PROTOCOL 48th JUDICIAL CIRCUIT AND DISTRICT FRANKLIN COUNTY

Pursuant to KRS 403.735, and in compliance with Family Court Rules of Procedure and Practice (FCRPP) Section IV, this local domestic violence protocol is established to ensure twenty-four hour accessibility to emergency protective orders and to establish written procedures for domestic violence matters in which there may be joint jurisdiction between the circuit/family and district courts.

I. Uniform Protocol for Processing Cases

- A. Circuit court clerks shall process domestic violence cases in accordance with the procedures set forth in the "Domestic Violence Proceedings" section of the Kentucky Circuit Court Clerk's Manual.
- B. All cases will be assigned a "D" case number with the appropriate trailer number within the court case management system and may not be consolidated with any other case type.
- C. Domestic violence matters may be reassigned from the district court division to circuit/family court when there is a dissolution/custody proceeding pending.
- D. Domestic violence cases are civil matters within the purview of CR 41.01.
- E. Franklin County shall retain venue and jurisdiction of domestic violence proceedings filed here regardless of dissolution or child custody proceedings pending in any other county in the Commonwealth.

II. Twenty-four Hour Accessibility

- A. The following agencies and officers are authorized to take domestic violence petitions and administer oaths to petitioner **during** regular business hours:

During regular business hours, which are 8:00 a.m. to 4:30 p.m. Monday-Friday, a person who wishes to obtain an Emergency Protective Order (EPO) should go to the Offices of Family Court and file a Domestic Violence Petition.

- B. The following agencies and officers are authorized to take domestic violence petitions and administer oaths to petitioner **after** regular business hours and weekends:

The following persons are authorized to provide Domestic Violence Petition Forms to any person seeking an Emergency Protective Order and are hereby authorized to take the oath of the person making the petition affirming the truthfulness of its content, and to verify the signature of that person:

- a. Franklin Circuit Court Clerk and all deputy clerks;**
 - b. Franklin County Attorney, Assistant County Attorneys and County Attorney Office staff;**
 - c. Franklin County Crime Victims Advocate and staff;**
 - d. Sheriff of Franklin County and all Deputy Sheriffs;**
 - e. Members of the Frankfort City Police Department and the Kentucky State Police;**
 - f. Franklin Circuit and District Judges.**
 - g. Franklin Family Court Office Staff.**
- C. Upon receipt of a petition during regular business hours, the authorized agency/officer shall present the petition to the following:**

The person receiving and verifying the completed Domestic Violence Petition shall immediately present the Petition to the Family Court Judge. If the Family Court Judge is unavailable, the Petition shall be presented to a Franklin Circuit or District Court Judge.

- D. Upon receipt of a petition after regular business hours, the authorized agency/officer shall present the petition to:**

The person receiving and verifying the completed Domestic Violence Petition shall immediately present the Petition to the Family Court Judge. If the Family Court Judge is unavailable, the Petition shall be presented to a Franklin Circuit or District Court Judge. In such cases, the Judge may issue an order and summons, and have it served. Copies of said summons and order shall be presented to the Clerk for filing on the next business day.

- E. Petitions will be reviewed within an hour of presentation to a judge unless it is impossible due to the unavailability of a judge.**
- F. The schedule for domestic violence hearings is as follows:**

Domestic violence proceedings are held each Wednesday at 10:00 a.m. in the Franklin County Courthouse in accordance with the Family Court schedule. All hearings will be held in Family Court regardless of whether a Circuit, District, or Family Judge issues the Emergency Protective Order.

III. Contempt Proceedings

- A. Pursuant to KRS 403.760, civil and criminal proceedings for violation of a protective order for the same violation of a protective order shall be mutually exclusive.
- B. Petitioners seeking to initiate contempt proceedings should contact:

1. Criminal Contempt.

Violations of an Emergency Protective Order or Domestic Violence Order which has been served on the Respondent shall constitute contempt of court and/or a Class A Misdemeanor. Any peace officer having probable cause to believe that there has been a violation of either an Emergency Protective Order or a Domestic Violence Order shall arrest the Respondent without a warrant pursuant to KRS 403.760.

2. Civil Contempt.

If an alleged violation of previously issued and in-effect Emergency Protective Order or Domestic Violence Order occurs, the Petitioner may go to the offices of Family Court during regular business hours, to file a Show Cause Order or Forthwith Order of Arrest to hold Respondent in contempt of court. Those persons authorized to take Petitions for Emergency Protective Orders are authorized to take the oath of the person charging contempt affirming the truthfulness of its content and to verify the signature of that person.

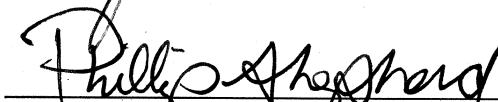
- C. No petitioner may be held in contempt for failing to appear at a domestic violence hearing or to prosecute a criminal violation of a protective order.
- D. The person receiving and verifying the completed Show Cause Order or Forthwith Order of Arrest shall immediately deliver the Order to the Family Court Judge. If the Family Court Judge is unavailable, the Order shall be presented to a Franklin Circuit or District Court Judge.
- E. Based upon the allegations in the Show Cause Order or Forthwith Order of Arrest, the Judge to whom the Order is presented will make a decision on whether to issue a Show Cause Order or Forthwith Order of Arrest.
- F. If a Show Cause Order or Forthwith Order of Arrest is issued, the Circuit Court Clerk shall, upon receipt of the Order, schedule a hearing during the next available Domestic Violence session of Family Court.
- G. There shall also be a 24-hour availability of Forthwith Orders for Arrest for alleged violations of previously issued and in-effect Domestic Violence Orders.

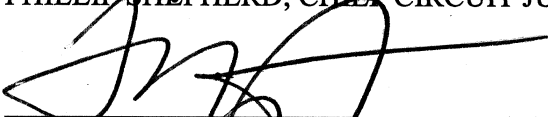
All general orders, forms, policies and procedures relating to domestic violence within the judicial circuit are attached to this protocol and incorporated by reference.

These Domestic Violence Procedures are incorporated into the local rules of the Franklin District, Circuit, and Family Courts, effective March 23, 2012. The above protocol is adopted by all judges in the circuit:

Dated this the 23 day of March, 2012


SQUIRE N. WILLIAMS III, FAMILY JUDGE


PHILLIP SHEPHERD, CHIEF CIRCUIT JUDGE


THOMAS WINGATE, CIRCUIT JUDGE


KATHY MANGEOT, DISTRICT JUDGE


CHRIS OLDS, DISTRICT JUDGE


SALLY JUMP, CIRCUIT CLERK

APPENDIX 2
FAMILY COURT HEARING SCHEDULE

Every second and fourth Monday of each month:	9:00 a.m.	Juvenile Status
Monday	1:00 p.m.	Adoptions/Terminations (by appointment)
Tuesday	9:30 a.m.	Domestic Relations Motions/Trials
Wednesday	10:00 a.m.	Domestic Violence
	1:00 p.m.	Child Support, civil cases
	1:30 p.m.	Child Support, confidential cases
Thursday	9:30 a.m.	Case Management Conferences, Pro Se Domestic Relations Motions/Trials
Friday	9:30 a.m.	Dependency/Abuse/Neglect

APPENDIX 3

**COMMONWEALTH OF KENTUCKY
FRANKLIN CIRCUIT COURT
DIVISION III - FAMILY COURT
CIVIL ACTION NO. -CI-**

IN RE: THE MARRIAGE OF

PETITIONER

AND

**MANDATORY CASE DISCLOSURE
ACKNOWLEDGMENT/STIPULATION**

RESPONDENT

All sections must be completed. If the answer to a given section is "None," "Not applicable," or "Unknown," answer that section accordingly. If a question requires further documentation or an additional schedule, please attach.

I, _____, declare under oath that my personal information is:

Name: _____

Address: _____

Social Security No.:

Date/Place of Birth:

Date/Place of Marriage:

Date of Separation:

Spouse's Name:

Spouse's Birth

Date: _____

My occupation is:

I am currently employed

at: _____

I earn _____ per _____ and work _____ hours (if paid hourly)

I am paid () weekly () monthly () other _____.

My year to date earnings are _____ (attach four [4] most recent pay stubs).

My monthly gross income from employment is _____.

I hereby acknowledge that the information contained in _____'s mandatory Case Disclosure is a true and accurate reflection of the financial disputes in the matter, and that there are no additional assets, debts, or issues that require disclosure, to the best of my knowledge and belief.

If maintenance is an issue, or if there are property distribution issues, please proceed to use the full mandatory Verified Disclosure form.

LAY WITNESSES

Name the lay witnesses (non-experts, i.e., friends, family members, etc.) you expect to call at trial and the issue(s) you expect them to testify about.

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

EXPERT WITNESSES

Name the expert witnesses (doctors, accountants, etc.) you expect to call at trial and the issue(s) you expect them to address.

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

LENGTH OF TRIAL

How many days to you expect this trial to take? _____ hours _____ days.

OTHER LEGAL ACTIONS

Please give the name of the case, case number, and name of the Court or Administrative Agency for any case to which you are or have been a party within the last year, as well as a brief description of the nature of the case and the present status of the case.

1. _____

2. _____

3. _____

4. _____

REQUIRED SEPARATE ATTACHMENTS

You shall attach to this schedule:

1. Your three (3) most recent paycheck receipts or other documented evidence of earning for the last two (2) months if such paycheck receipts are not available;

2. A full and complete copy of your last three (3) federal income tax returns and the first page of your last three (3) State income tax returns.

I hereby certify that the above information is true to the best of my knowledge, information and belief.

PETITIONER() / RESPONDENT()

Subscribed and sworn to before me this _____ day of _____, ____ .

NOTARY PUBLIC,
STATE AT LARGE

My commission expires:

CERTIFICATE

It is hereby certified that a copy of the foregoing ***Mandatory Case Disclosure Acknowledgment/Stipulation*** (with attachments) was mailed on this _____ day of _____, _____, to:

Counsel for _____